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OFFICE OF PETITIONS

In re Application of :
Zoe Ziaka-Vasileiadou et al :
Application No. 09/973,459 : DECISION ON PETITION
Filed: October 10, 2001 :
For: INTEGRATED PROCESSES FOR OLEFIN :
AND POLYOLEFIN PRODUCTION :

This is in reply to the communication filed May 6, 2004, which is being treated as a petition under 37 CFR 1.182 requesting that the order of the names of the inventors be changed.

The petition is dismissed.

The order of the names of joint inventors is taken from the order in which the typewritten names appear in the original oath or declaration. Therefore, care should be taken in selecting the preferred order of the typewritten names of the joint inventors, before filing, as requests for subsequent shifting of the names would entail change to numerous records in the Office. Since the particular order in which the names appear is of no consequence insofar as the legal rights of the joint applicants are concerned, no changes will be made **except when a petition under 37 CFR 1.182 is granted**. Further, the petition under 37 CFR 1.182 must be signed by either the attorney or agent of record or all the applicants. See MPEP 605.04(f). Additionally, a petition under 37 CFR 1.182 requires a petition fee as set forth in 37 CFR 1.17(f).

Therefore, in the instant case, the requested relief must have been made by way of a petition under 37 CFR 1.182, accompanied by the required fee at the time of submission thereof. As the instant request was not captioned as a petition under 37 CFR 1.182 and lacked the required fee therefor, the change in the order of inventorship cannot be made.¹ Further, as the issue fee

¹ Because the instant request was not properly captioned as a petition under 37 CFR 1.182, it did not come to the attention of the deciding official's office until recently.

has now been paid, the printing of the patent has progressed to the point where it is now impermissible to make any changes in the order of inventorship and, therefore, any future petition submitted under 37 CFR 1.182 (which now requires a \$400 fee therefor) to change the order of inventorship would have to be dismissed.

Further correspondence with respect to this matter should be addressed as follows:

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Any questions concerning this matter may be directed to the undersigned at (571) 272-3218.



Frances Hicks
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for Patent Examination Policy